



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 48 (2020)

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**A BILL FOR AN ORDINANCE**

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RELATING TO PERMITS REQUIRED.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to update exemptions from the requirements for a building permit, by increasing the threshold from which repairs to existing buildings are exempted, by amending the exemption for satellite antennas to comply with the Telecommunications Act of 1996, by amending the exempted depth of an ornamental pond to the national standard, by adding additional exemptions from the requirements of a building permit and by other various amendments which are editorial and nontechnical.

SECTION 2. Section 18-3.1, Revised Ordinance of Honolulu 1990 ("Required"), is amended to read as follows:

**"Sec. 18-3.1 Required.**

- (a) No person shall perform any of the following or cause any of the following to be performed without first obtaining a building permit therefor as prescribed in this section:
- (1) Erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure;
  - (2) Any electrical work;
  - (3) Install, remove, alter, repair or replace any plumbing, fire sprinkler, gas or drainage piping work or any fixture, gas appliance, or water heating or treating equipment; or
  - (4) Construct, reconstruct or improve any sidewalk, curb or driveway in any public street right-of-way.
- (b) Exemptions. A permit shall not be required for the types of work listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.
- (1) Work [~~excepted~~] exempted from building code provisions under Chapter 16. Work on sidewalks, curbs or driveways regulated under the provisions



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of Chapter 14, Article 18, however, is not exempt from permit requirements.

- (2) Temporary construction sheds and temporary construction fences.
- (3) Reroofing work which will not adversely affect the structural components for Groups R-3 and U occupancies.
- (4) Installation of siding to existing exterior walls which will not adversely affect the structural components or fire protection of the walls of Groups R-3 and U occupancies.
- (5) Temporary tents or other coverings, for periods not to exceed 14 consecutive days, used for private family parties or for camping or for such structures which have obtained a lawful permit from another City agency.
- (6) Retaining walls, fences and planter boxes which are not more than 30 inches (762 mm) in height, walkways, riprap walls, and outside paving within private property.
- (7) Individual residential television wireless cable and radio antennas, [excluding] dish-type antennas which are less than 39.37 inches (one meter) in diameter or diagonal dimension.
- (8) Window awnings supported by the exterior walls of Groups R-3 or U occupancies, when projecting not more than four feet six inches (1372 mm).
- (9) Installation of wallpaper or wall covering which is exempted under the provisions of Chapter 16.
- (10) Repairs ~~[which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and]~~ which do not aggregate over ~~[\$1,000.00]~~ \$5,000 in valuation in any 12-month period~~[, and do not affect any electrical, plumbing, or mechanical installations].~~
- (11) Painting, installation of floor covering, counter tops, and cabinet work and similar finish work without limit as to valuation; provided, however, that the values thereof shall be included as part of the value of any new construction for which a permit is required by this code, for the purpose of determining the amount of the fee to be paid for such permit.



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- (12) Work located on federal property except where permits are specifically requested by the federal agency.
- (13) Work performed for any [state] government agency, except where permits are specifically requested by the agency.
- (14) Playground equipment, monuments, statues, ornamental ponds less than ~~48~~ 24 inches (610 mm) in depth, and golf course pedestrian and golf cart bridges.
- (15) Temporary motion picture, television, and theater stage sets and scenery.
- (16) One-story detached buildings:
  - (A) Accessory to Group R-3 occupancies and used as tool and storage sheds, playhouses and similar uses; or
  - (B) Accessory to crop production in AG-1 Restricted Agricultural or AG-2 General Agricultural zoning districts and used as storage sheds or for water catchment and not used as dwelling or lodging units; provided the aggregate floor area does not exceed 120 square feet (11 m<sup>2</sup>).
- (17) Nonfixed and Mmovable cases, counters, racks and partitions not over five feet nine inches (1753 mm) high.
- (18) The following electrical work:
  - (A) Electrical work and installation to which the provisions of the electrical code are expressly declared to be not applicable;
  - (B) Installation of any portable motor or other portable appliance energized by means of a cord or cable having an attachment plug, if such cord or cable is permitted by the electrical code;
  - (C) Repair of any fixed motor or other appliance, or replacement of any fixed motor with another having the same horsepower rating and situated at the same location;



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- (D) Maintenance work for commercial and industrial processing equipment by a duly licensed electrician;
  - (E) Electronic equipment, sound public address systems, cable television and communication systems for a single-family or two-family dwelling;
  - (F) Radio and television receiving antenna systems other than master or community systems;
  - (G) Sound recording systems for a single-family or two-family dwelling;
  - (H) Interior telephone work subject to regulation by the public utilities commission of the State of Hawaii and wiring of interconnecting cable of data processing equipment; and
  - (I) Repair work performed by a licensed electrical contractor which does not aggregate over \$500.00 in valuation in any 12-month period and does not involve service entrance equipment.
- (19) The following work by a public utility supplying gas:
- (A) Disconnecting defective gas piping or equipment when authorized under Chapter 19; and
  - (B) Disconnecting or reconnecting existing gas piping or equipment for repair, servicing, replacement or removal.
- (20) The following plumbing work:
- (A) Repair work in plumbing systems when the work does not involve or require the replacement or rearrangement of valves, pipes or fixtures; and
  - (B) Repair work performed by a licensed plumbing contractor which does not aggregate over \$1,000.00 in valuation in any 12-month period and which involves or requires only the replacement of valves, pipes or fixtures.



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- (21) All structures, other than buildings, which are constructed in conjunction with board of water supply and public works projects undertaken by or on behalf of the city.
- (22) All structures, other than buildings, which are constructed in conjunction with the subdivision of lands and in accordance with plans approved by the city under its subdivision rules and regulations.
- (23) Sidewalks, curbs and driveways in public street rights-of-way which are:
  - (A) Constructed in conjunction with public works projects undertaken by or on behalf of the city;
  - (B) Constructed in conjunction with the subdivision of land and in accordance with plans approved by the city under its subdivision rules and regulations; or
  - (C) Subject to compliance with Chapter 14, Article 18.
- (24) Minor repairs to sidewalks, curbs and driveways in public street rights-of-way. However, reconstruction and/or replacement of any portion of sidewalks, curbs and driveways shall not be construed as repair which is exempt under this subdivision."
- (25) Weather protected outdoor storage regulated under the provisions of the fire code, Chapter 20, ROH 1990, as amended.
- (26) Temporary tents used for commercial purposes or for other purposes of assembly, such as rallies, festivals, amusements and sideshows, for periods not to exceed 3 consecutive days.
- (27) Exterior screen doors for R-3 dwellings and for individual residential units of R-2 occupancies, except where openings are required to be fire-rated.

SECTION 4. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



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SECTION 5. This ordinance shall take effect upon its approval.

INTRODUCED BY:

*[Handwritten signature]*

(br)

DATE OF INTRODUCTION:

**JUN 12 2020**

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu